

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING

## PCT

### NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

( PCT Rule 71.1 )

<b>To:</b> CHOI, Young-Gyoo  8th Fl., Mointer Bldg., 1675-12, Seocho-Dong, Seocho-Gu, 137-070 Seoul, Republic of Korea
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Date of mailing <i>(day/month/year)</i> 29 JULY 2004 (29.07.2004)
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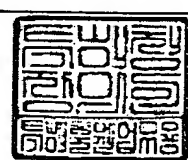
Applicant's or agent's file reference	<b>IMPORTANT NOTIFICATION</b>
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International application No. <b>PCT/KR2003/000754</b>	International filing date <i>(day/month/year)</i> <b>14 APRIL 2003 (14.04.2003)</b>	Priority date <i>(day/months/year)</i> 16 APRIL 2002 (16.04.2002)
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Applicant  <b>G.PLUS CO., LTD. et al</b>
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1. The applicant is hereby notified that International Preliminary Examining Authority transmits here with the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**  
 The applicant must enter the national phase before each elected office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).  
  
 Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.  
  
 For further details in the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/KR Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea  Facsimile No. 82-42-472-7140	Authorized officer  <p style="text-align: center;">COMMISSIONER</p> Telephone No. 82-42-481-5207
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INTERNATIONAL COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/KR2003/000754</b>	International filing date (day/month/year) <b>14 APRIL 2003 (14.04.2003)</b>	Priority date (day/month/year) <b>16 APRIL 2002 (16.04.2002)</b>
International Patent Classification (IPC) or national classification and IPC <b>IPC7 C04B 14/10</b>		
Applicant <b>G.PLUS CO., LTD. et al</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  <b>26 AUGUST 2003 (26.08.2003)</b>	Date of completion of this report  <b>27 JULY 2004 (27.07.2004)</b>
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer <div style="border: 1px solid black; padding: 2px; display: inline-block;"><b>KANG, HYUNG SEOK</b></div> Telephone No. 82-42-481-8152 

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/000754

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

☒ the international application as originally filed

☐ the description:

pages \_\_\_\_\_

pages \_\_\_\_\_

pages \_\_\_\_\_

\_\_\_\_\_ , filed with the letter of \_\_\_\_\_

\_\_\_\_\_ , as originally filed

\_\_\_\_\_ , filed with the demand

☐ the claims:

pages \_\_\_\_\_

pages \_\_\_\_\_

pages \_\_\_\_\_

pages \_\_\_\_\_

\_\_\_\_\_ , filed with the letter of \_\_\_\_\_

\_\_\_\_\_ , as originally filed

\_\_\_\_\_ , as amended (together with any statement) under Article 19

\_\_\_\_\_ , filed with the demand

☐ the drawings:

pages \_\_\_\_\_

pages \_\_\_\_\_

pages \_\_\_\_\_

\_\_\_\_\_ , filed with the letter of \_\_\_\_\_

\_\_\_\_\_ , as originally filed

\_\_\_\_\_ , filed with the demand

☐ the sequence listing part of the description:

pages \_\_\_\_\_

pages \_\_\_\_\_

pages \_\_\_\_\_

\_\_\_\_\_ , filed with the letter of \_\_\_\_\_

\_\_\_\_\_ , as originally filed

\_\_\_\_\_ , filed with the demand

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☒ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheet \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/000754

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1, 2	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1, 2	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1, 2	YES
	Claims	NONE	NO

### 2. Citations and explanations (Rule 70.7)

1) Reference is made to the following document cited in the international search report.

D1: JP 08-48549(Nippon Steel Corp.) 20 February 1996

2) The present invention relates to non-calcined clay composites consisting of: (A) clay, (B) lime, (C) blast furnace slag, (D) alkaline chemical, and water for building materials of improved strength.

The cited document D1 discloses a curing composition consisting of: (A) silica-based substance, (B) lime, (C) slag, (D) sodium silicate, and water for producing a cement-like material.

3) Novelty and Inventive step [PCT Articles 33(2) and 33(3)]

D1 is similar to the present invention claimed in claims 1 and 2 in that curing composition includes lime, slag, and sodium silicate. Furthermore clay is specifically defined in D1 as a kind of silica-based substance. However, D1 is different from the present invention in the amount ratio of the components of said curing composition; silica-based substance in D1 occupies 5-30 wt% of the total amount, while clay in the present invention is used as a main component occupying 50-90 wt% of the total amount.

In addition, silica-based substance in D1 is used for complementing silica in curing composition, but clay is used for emitting far-infrared rays and used as a main component of the composite. Thus the present invention is considered to be novel.

In the light of D1, there is no reasonable basis to believe the fact that the skilled person in the art could select 'non-calcined clay' instead of 'calcined clay', and a silica-based substance is generally used after calcining for the purpose of curing composition. Accordingly, the technical feature of using non-calcined clay as a building material of the present invention cannot be readily invented by a person skilled in the art. Thus the present invention is considered to involve an inventive step.

4) Industrial applicability [PCT Articles 33(4)]

The present invention is considered to be industrially applicable.